

**IN THE UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF TEXAS,
HOUSTON DIVISION**

**LANDSCAPE CONSULTANTS OF
TEXAS, INC., and
METROPOLITAN LANDSCAPE
MANAGEMENT, INC.,
*Plaintiffs,***

V.

**CITY OF HOUSTON, TEXAS, and
MIDTOWN MANAGEMENT
DISTRICT,
*Defendants.***

§ § § § § § § § § §

Civil Action No.: 4:23-cv-3516

**ORDER GRANTING DEFENDANT CITY OF HOUSTON'S
RULE 12(b)(1) AND (6) MOTIONS TO DISMISS ALL CLAIMS AS TO
PLAINTIFF METROPOLITAN LANDSCAPE MANAGEMENT, INC.
AND 12(b)(1) MOTION TO DISMISS SECTION 1981 CLAIM BY
PLAINTIFF LANDSCAPE CONSULTANTS OF TEXAS, INC.**

On this date, the Court Defendant the City of Houston's motions dismiss all claims of Plaintiff Metropolitan Landscape Management, Inc. pursuant to Federal Rule of Civil Procedure 12(b)(1) and (6) and the 42 U.S.C. section 1981 claim of Plaintiff Landscape Consultants of Texas, Inc. under Rule 12(b)(1); as well as any timely filed responses and replies. The motions are **GRANTED**.

It is **ORDERED** that all claims against Defendant the City of Houston by Plaintiff Metropolitan Landscape Management, Inc. are dismissed for lack of subject-matter jurisdiction [or dismissed with prejudice for failure to state a claim].

It is further **ORDERED** that the stand-alone 42 U.S.C. section 1981 claim of Plaintiff Landscape Consultants of Texas, Inc. is dismissed for lack of subject-matter jurisdiction.

Signed this _____ day of _____, 2023.

Hon. David Hittner
United States District Judge